

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

SHELLIE B. HARRIS,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. H-04-4807
	§	
FRESENIUS MEDICAL CARE, <i>et al.</i> ,	§	
	§	
Defendants.	§	

FINAL JUDGMENT

On July 24, 2006, this court issued a Memorandum and Order granting in part the summary judgment motion filed by the defendants, Fresenius Medical Care and Nelia Soledad. This court dismissed with prejudice the claims that the defendants discriminated against the plaintiff, Shellie B. Harris, on the basis of her race and national origin, in violation of Title VII, 42 U.S.C. § 2000e *et seq.*, and 42 U.S.C. § 1981. This court also dismissed with prejudice the claims for constructive discharge, intentional infliction of emotional distress, negligent hiring, supervision, training, and retention, and tortious interference with a prospective business relationship. This court denied summary judgment as to the claim that the defendants retaliated against Shellie B. Harris for her complaints of discrimination by giving her a negative reference.

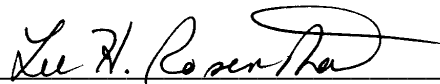
On January 16, 2007, the parties appeared for jury selection and trial of the remaining retaliation claim. Before jury selection began, Shellie B. Harris moved to dismiss the remaining retaliation claim, with prejudice. The motion was unopposed. This court granted

the motion. Based on the grant of that motion and this court's prior summary judgment ruling, this court now enters final judgment that the plaintiff, Shellie B. Harris, take nothing as to her claims against Fresenius Medical Care and Nelia Soledad. This civil action is dismissed, with prejudice.

Shellie B. Harris is to pay costs of court under Rule 54(d)(1).

This is a final judgment.

SIGNED on January 16, 2007, at Houston, Texas.

A handwritten signature in black ink, reading "Lee H. Rosenthal", is positioned above a horizontal line. The signature is fluid and cursive.

Lee H. Rosenthal
United States District Judge